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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEKISUI AMERICA CORPORATION and
SEKISUI MEDICAL CO., LTD.,

Plaintiffs,

v.

RICHARD HART and MARY LOUISE
TRUDEL-HART,

Defendants.

ECF CASE

Civil Action No. 12-CV-3479 (SAS)

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME TO
RESPOND TO COUNTERCLAIMS**

RICHARD HART and MARY LOUISE
TRUDEL-HART,

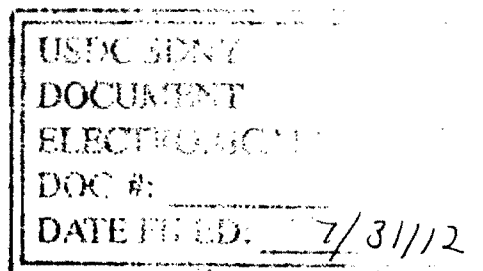
Plaintiffs,

v.

SEKISUI AMERICA CORPORATION and
U.S. BANK NATIONAL ASSOCIATION,

Defendants.

Civil Action No. 12-CV-3560 (SAS)



WHEREAS, Plaintiffs Sekisui America Corporation and Sekisui Medical Co., Ltd. filed a Complaint in Civil Action No. 12-CV-3479 (SAS) on May 2, 2012 ("First-Filed Action") against Defendants Richard Hart and Mary Louise Trudel-Hart (collectively, "Harts");

WHEREAS, Harts filed a Complaint in Civil Action No. 12-CV-3560 (SAS) on May 4, 2012 ("Second-Filed Action") against Sekisui America Corporation and U.S. Bank National Association ("U.S. Bank");

WHEREAS, on or about July 6, 2012, Harts voluntarily dismissed U.S. Bank from the Second-Filed Action;

WHEREAS, on or about July 9, 2012, Sekisui America Corporation filed counterclaims in the Second-Filed Action, asserting substantially similar claims as those asserted in the First-Filed Action;

WHEREAS, on July 25, 2012, the Court consolidated the Second-Filed Action into the First-Filed Action, and closed the case in the Second-Filed Action;

WHEREAS, the Court has scheduled an initial pretrial conference in the First-Filed Action for August 20, 2012;

WHEREAS, the parties wish to avoid duplicative pleadings and address efficient case management with the Court at the initial pretrial conference;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the parties through their undersigned counsel of record that:

1. Harts' time to respond to the counterclaims in the Second-Filed Action is extended until and including August 27, 2012; and
2. Harts' deadline to amend their complaint in the Second-Filed Action in light of the dismissal of U.S. Bank is up to and including August 27, 2012.

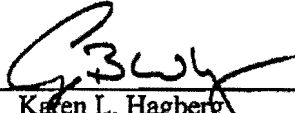
Date: July 30, 2012

Respectfully submitted,

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*Attorneys for Richard Hart and Mary
Louise Trudel-Hart*

SO ORDERED.

Date:




HONORABLE SHIRA J. SCHEINDLIN
UNITED STATES DISTRICT JUDGE